

IV. REMARKS

The abstract has been amended as requested. Thus, it is no longer objectionable.

New drawings are enclosed with FIGS. 1 and 2 labeled as "Prior Art".

Claims 1-4 and 9-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Forssell.

Forssell introduces a mechanism to provide continuation of a terminating TBF towards the same direction, i.e., continuation of downlink temporary block flow (DL TBF) after terminating DL TBF and continuation of uplink temporary block flow (UL TBF) after terminating UL TBF. Column 10, lines 18-40, refer to this. Forssell does not introduce a mechanism to enable quick UL TBF establishment after terminating DL TBF.

Forssell does not introduce a mechanism where the network sends an extra polling message related to DL TBF to the mobile device allowing the mobile device to request UL TBF. The polling message to DL TBF is used even if the mobile device has acknowledged the reception of all DL data blocks.

Forssell states in column 10, lines 22-23, "TBF between the MS and NW has been terminated". "Has been terminated" means that there are no resources related to previous TBF, UL TBF or DL TBF. Thus "the assigned limited uplink resources assigned to the mobile device" in Forssell are not DL TBF related but something different. The Applicants' invention introduces a mechanism that

uses existing terminating DL TBF to allow mobile device to request establishment of new UL TBF. No UL TBF exists at this point.

The problem in reading claim 1 of the Applicants' application in relation to Forrsell column 10, lines 18-40, is that Forrsell discloses a mechanism, which provides the mobile device after terminating TBR a limited resource for DL transfer, by means of which the mobile device can request the formation of UL TBF. Forrsell does not, however, state how this is carried out in practice and even though the purpose of the application has been to enable the formation of UL TBF after UL TBF, and the formation of DL TBF after DL TBF (i.e., the direction of the TBF remains the same), this is not very clearly stated in the detailed description, but on the basis of the description of the advantages of Forrsell's invention (col. 4, lines 31 to 62) it is evident that the purpose is to maintain the connection by forming a new TBF for the same direction (UL/DL). The text only mentions the formation of parallel TBFs (one for UL, another one for DL), not, for example, the formation of UL TBF after DL TBF. The above-mentioned "has been terminated" clearly differentiates the two cases, since in the Applicants' application, the mobile device is provided with a transfer turn while DL TBF is still running, although it is in the process of being terminated.

The independent claims have been amended to recite that the enquiry message relates to the temporary packet data flow in the first direction and using the temporary packet flow in the first direction to request establishment of a temporary packet data flow in a second direction even when the wireless data transfer device has indicated the reception of all data blocks from the mobile communication network.

Since this is not in Forssell, the rejection under 35 U.S.C. 102 should be withdrawn.


Claims 5-8 are rejected under 35 U.S.C. 103(a) as being obvious over Forssell.

Similarly, since the above features are not suggested by Forssell, the rejection of claims 5-8 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300 the date indicated below, addressed to the Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 8/31/05Signature: Ramona Belandier
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